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SERIAL NO.
10/775,929

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: Koji (nmi) Takeguchi
Serial No.: 10/775,929
Filing Date: February 10, 2004
Title: *Upgraded Flexible Open Ring Optical Network and Method*

Mail Stop: Amendments
Commissioner For Patents
P.O. Box 1450
Alexandria, Virginia 22313-1450

Dear Sir:

<p>Certificate of Mailing by Express Mail No. EV 473957955 US I hereby certify that this correspondence is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" under 37. C.F.R. 1.10 on the date shown below, and addressed to Commissioner for Patents, P.O. Box 1450, Alexandria, Virginia 22313-1450.</p> <p>Name: <u>Willie Jiles</u> Willie Jiles</p> <p>Date: November 5, 2004</p>
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INFORMATION DISCLOSURE STATEMENT

Under 37 C.F.R. §§ 1.56, .97, and .98, Applicant respectfully requests that the references listed in the attached PTO-1449 form be considered and cited in the examination of the Application. The present Application was filed after June 30, 2003. Therefore, under the July 11, 2003, waiver of 37 C.F.R. § 1.98(a)(2)(i) by the U.S. Patent and Trademark Office, copies of U.S. Patents and U.S. Patent Application Publications listed in the attached PTO-1449 form are not enclosed. Copies of all other references are enclosed for the convenience of the Examiner.

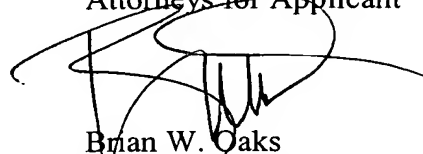
REMARKS

Pursuant to 37 C.F.R. § 1.97(b)(3), Applicant believes this Information Disclosure Statement has been filed before the mailing date of the first Official Action. Therefore, Applicant believes no fee is due. However, if a fee is required, the Commissioner is hereby authorized to charge any fees or credit any overpayments to Deposit Account No. 02-0384 of Baker Botts L.L.P.

Respectfully submitted,

BAKER BOTTS L.L.P.

Attorneys for Applicant



Brian W. Oaks
Reg. No. 44,981

Date: November 5, 2004

Correspondence Address:

Customer Number

05073



PTO-1449 Information Disclosure Citation In an Application		Application No. 10/775,929		Applicant(s) Koji (nmi) Takeguchi				
		Docket Number 064731.0350	Group Art Unit Unknown	Filing Date February 10, 2004				
U.S. PATENT DOCUMENTS								
		DOCUMENT NO.	DATE	NAME	CLASS	SUBCLASS	FILING DATE	
	A	2002/0030869	03/14/2002	Okazaki et al.	359	128	06/16/2001	
	B							
	C							
	D							
	E							
	F							
FOREIGN PATENT DOCUMENTS								
		DOCUMENT NO.	DATE	COUNTRY	CLASS	SUBCLASS	TRANSLATION	
							YES	NO
	G	EP 1 265 451	12/11/2002	European Patent Office	H04Q	11/00	X	
	H	WO 03/104849	12/18/2003	PCT	G02B	NA	X	
	I	GB 2 359 433	08/22/2001	Great Britain	H04Q	11/00	X	
NON-PATENT DOCUMENTS								
		DOCUMENT (Including Author, Title, Source, and Pertinent Pages)					DATE	
	J	Notification of Transmittal of the International Search Report or the Declaration (PCT Rule 44.1) mailed October 28, 2004 (5 pages) re International Application No. PCT/US 2004/016352					10/28/2004	
	K							
	L							
	M							
	N							
	O							
EXAMINER				DATE CONSIDERED				
EXAMINER: Initial if citation considered, whether or not citation is in conformance with MPEP § 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to the applicant.								

U.S. PATENT AND TRADEMARK OFFICE